

**DRAFT**

**DRAFT**

**DRAFT**

**DRAFT**

**DRAFT**

**DRAFT**

**STEWARDSHIP PERMIT**

Donham Craft Inc.  
15 East Waterbury Road  
Naugatuck, CT

EPA ID No. CTD00145006  
Permit No. DEP/HWM/CS-088-008

**DRAFT**

**DRAFT**

**DRAFT**

**SECTION I**

Stewardship Permit  
Standard Facility Conditions

Donham Craft Inc.  
15 East Waterbury Road  
Naugatuck, CT

EPA ID No. CTD00145006  
Permit No. DEP/HWM/CS-088-008

Table of Contents  
Section I – Standard Facility Conditions

Section	Title	Page
A.	Effect of Permit .....	1
B.	Severability .....	1
C.	Confidential Information .....	1
D.	Imminent Hazard Actions .....	1
E.	Duties and Requirements	
1.	Duty to Comply .....	2
2.	Duty to Reapply .....	2
3.	Obligation for Corrective Action .....	2
4.	Need to Halt or Reduce Activity Not a Defense .....	2
5.	Duty to Mitigate .....	2
6.	Permit Actions .....	2
7.	Property Rights .....	2
8.	Duty to Provide Information .....	3
9.	Operation and Maintenance of Remedial Systems .....	3
10.	Inspection and Entry .....	3
11.	Security .....	3
12.	Preparedness, Prevention, Contingency Plan and Emergency Procedures .....	3
13.	Monitoring and Records .....	4
14.	Operating Record .....	4
15.	Signatory Requirements .....	5
16.	Transfers .....	5
17.	Reporting Requirements .....	5
18.	Computation of Time .....	7
19.	Availability, Retention and Disposition of Records .....	7
20.	Additional Requirements .....	7
21.	Federal, State and Local Law .....	7
22.	Modification of Compliance Schedule .....	8
23.	Delegation of Licensed Environmental Professional .....	8
F.	Definitions .....	9

Figures

Figure No. 2	Site Overview
--------------	---------------

**DRAFT**

**DRAFT**

**DRAFT**

**STEWARDSHIP PERMIT  
SECTION I  
STANDARD FACILITY CONDITIONS**

**A. EFFECT OF PERMIT**

Except as is provided in the Regulations of Connecticut State Agencies (“RCSA”) Section 22a-449(c)-110(a)(2) and except for any federally enforceable requirement(s), compliance with this Permit during its term constitutes compliance, for purposes of enforcement, with Connecticut General Statutes (“CGS”) Section 22a-449(c). This Permit may be modified, revoked and reissued, or terminated during its term as set forth in RCSA Section 22a-449(c)-110(a)(1), which incorporates by reference Title 40 of the Code of Federal Regulations (“40 CFR”) Parts 270.41, 270.42 and 270.43.

The Permittee shall perform post-closure care and corrective action in accordance with the application (Application No. 200901996) received by the Department of Environmental Protection (“Department”) on June 16, 2009 and the requirements of this Permit. In the event of a conflict between the Permittee’s application and the requirements of this Permit, the requirements of this Permit shall take precedence and apply.

The issuance of this Permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations.

Term (Duration) - The effective date of this Permit is the date on which the Permit is signed by the Commissioner. This Permit is in effect for a term of ten (10) years and may be renewed at the end of the term, in accordance with the requirements described in Condition No. I.E.2., “Duty to Reapply” of this Permit.

In accordance with 40 CFR 270.73(a), upon issuance of this Permit the Permittee’s Interim Status granted under the Resource Conservation and Recovery Act (“RCRA”) is hereby terminated. In addition, upon the Commissioner’s determination that the Permittee has satisfied the requirements of this Permit, a Certificate of Completion shall be issued to the Permittee.

**B. SEVERABILITY**

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances is held invalid, the application of such provision to other circumstances and the remainder of this Permit shall not be affected thereby.

**C. CONFIDENTIAL INFORMATION**

The Permittee may claim that any information required to be submitted by this Permit contains or constitutes confidential information in accordance with CGS Section 1-210(b).

**D. IMMINENT HAZARD ACTIONS**

Notwithstanding any provision of this Permit, enforcement actions may be brought pursuant to Section 7003 of the Resource Conservation and Recovery Act, CGS Section 22a-6, or any other applicable law.

**DRAFT**

**DRAFT**

**DRAFT**

**E. DUTIES AND REQUIREMENTS**

1. Duty to Comply. The Permittee shall comply with all conditions of this Permit except that the Permittee need not comply with the conditions of this Permit to the extent and for the duration such noncompliance is authorized in an Emergency Permit that explicitly authorizes any such noncompliance. Noncompliance by the Permittee with the terms of this Permit, except under the terms of an Emergency Permit, shall constitute a violation of this Permit and any applicable laws or regulations and is grounds for enforcement action, for Permit termination, revocation and reissuance or for denial of a Permit renewal. Emergency Permit as used herein shall mean Emergency Permit as identified in RCSA Section 22a-449(c)-110(a)(1) incorporating 40 CFR 270.61.

Unless superseded by a more stringent provision in this Permit, the Permittee shall comply with all of the applicable requirements of RCSA Sections 22a-133k-1 et. seq. ("Remediation Standard Regulations" or "RSRs"), as amended, and 22a-449(c)-100 et. seq., including any portion of 40 CFR 260 through 279 incorporated by reference therein.

A violation of this Permit for purposes of state and federal law constitutes a violation of a RCRA Permit.

2. Duty to Reapply. This Permit shall expire ten (10) years after the effective date of this Permit. The Permittee shall renew this Permit if any activity required by this Permit is not completed prior to the expiration date of this Permit. The Permittee shall apply for renewal of this Permit one hundred and eighty (180) calendar days prior to the date of expiration of this Permit, in accordance with RCSA Sections 22a-449(c)-104(a) and 22a-449(c)-110 incorporating 40 CFR 264.101 and 270.10(h) and any other applicable law.
3. Obligation for Corrective Action. The Permittee is required to continue this Permit for any period necessary to comply with the corrective action requirements of this Permit.
4. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce any activity authorized by this Permit in order to maintain compliance with the conditions of this Permit, unless otherwise required to do so by another state or federal authority.
5. Duty to Mitigate. In the event of noncompliance with this Permit, the Permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent its noncompliance from having significant adverse impacts on human health or the environment. No action taken by the Permittee pursuant to this section of this Permit shall affect or limit the Commissioner's authority under any other statute or regulation.
6. Permit Actions. This Permit may be modified, revoked and reissued, or terminated as provided for in 40 CFR 270.41, 270.42 or 270.43, and in accordance with all applicable law, including but not limited to, CGS Sections 22a-6g and 6h and RCSA Sections 22a-3a-5 and 22a-449(c)-110. The filing of a request by the Permittee for a Permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any condition of this Permit.
7. Property Rights. This Permit does not convey any property rights of any sort, or any exclusive privilege to the Permittee.

**DRAFT**

**DRAFT**

**DRAFT**

8. Duty to Provide Information. The Permittee shall furnish to the Commissioner, within a reasonable time, any information which the Commissioner may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit or to determine compliance with this Permit. The Permittee shall also furnish to the Commissioner, upon request, copies of records required to be kept by this Permit.
9. Operation and Maintenance of Remedial Systems. The Permittee shall at all times properly operate and maintain all facilities and remedial systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance, at a minimum, includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate laboratory quality assurance procedures. This provision requires the operation of backup, auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Permit.
10. Inspection and Entry. The Permittee shall allow the Commissioner, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:
  - (a) Enter at reasonable times upon the Site where a regulated activity is located or conducted, or where records must be kept under the conditions of this Permit;
  - (b) Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Permit;
  - (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, operations regulated or required under this Permit; and
  - (d) Sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by RCRA, any substance or parameters at any location.
11. Security. Pursuant to RCRA Section 22a-449(c)-104 incorporating 40 CFR 264.14, the Permittee shall prevent the unknowing entry, and minimize the possibility for unauthorized entry, of persons or livestock onto the active portion of the Facility. The Permittee shall secure the Facility to the extent necessary to protect human health.
12. Preparedness, Prevention, Contingency Plan and Emergency Procedures.
  - (a) The Permittee shall comply with the requirements of RCRA Section 22a-449(c)-104(a)(1) incorporating 40 CFR 264 Subpart C "Preparedness and Prevention" and 40 CFR 264 Subpart D "Contingency Plan and Emergency Procedures" until active remediation is complete.
  - (b) The Permittee shall ensure that each entity under contract to provide emergency response services at the Facility has a Permit, issued by the Commissioner pursuant to CGS Section 22a-454, authorizing such entity to provide emergency response services. The Permittee shall maintain a copy of such Permit in the operating record for its Facility. The Permittee shall ensure that any action(s)

**DRAFT**

**DRAFT**

**DRAFT**

taken by an entity (including such entity's officers, employees, agents and subcontractors) providing emergency response services at its Facility conforms to the requirements of this Permit.

- (c) The Permittee shall ensure that each entity under contract with the Permittee to provide emergency response services visits the Site annually so that such entity is familiar with the Permittee's Site and can respond to an emergency. The Permittee shall maintain in the operating record for its Facility a certification, in accordance with the requirements of RCSA Section 22a-449(c)-110 incorporating 40 CFR 270.11, attested to by each emergency response entity under contract with the Permittee to provide emergency response services, stating that such entity has complied with the requirements specified in this paragraph.

13. Monitoring and Records.

- (a) The Permittee shall ensure that samples and measurements taken for the purpose of monitoring are representative of the monitored activity.
- (b) The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit (e.g. records from groundwater monitoring including wells and surface elevations), the certification required by RCSA Section 22a-449(c)-104 incorporating 40 CFR 264.73(b)(9), and records of all data used to complete the application for this Permit, for a period of at least three (3) years from the date of the sample, measurement, certification, report or application. This period may be extended by request of the Commissioner at any time. For disposal facilities these records shall be maintained for the post-closure period.
- (c) Records for monitoring information shall include:
  - (i) The date, exact place and time of sampling or measurements;
  - (ii) The individual(s) or company who performed the sampling or measurements;
  - (iii) The date(s) analyses were performed;
  - (iv) The individual(s) or company who performed the analyses;
  - (v) The analytical techniques or methods used; and
  - (vi) The results of such analyses.

14. Operating Record. The Permittee shall maintain, in writing, the following information in the Facility's operating record until termination of this Permit:

- (a) Summary reports and details of all incidents that require implementing the Contingency Plan pursuant to 40 CFR 264 Subpart D;
- (b) Records and results of inspections as required by this Permit, except this data need only be kept for three (3) years from the date of any such inspection;
- (c) Monitoring, testing or analytical data, and corrective action where required by 40 CFR 264 Subpart F or any regulatory section noted in 40 CFR 264.73(b)(6);
- (d) All closure and corrective action cost estimates under RCSA Section 22a-449(c)-104 and 40 CFR 264.142 and 40 CFR 264 Subpart H; and

**DRAFT**

**DRAFT**

**DRAFT**

- (e) Any other information required by this Permit or by any applicable law to be maintained in the Facility Operating Record.

15. Signatory Requirements. The Permittee's application and all reports or information submitted to the Commissioner by the Permittee pursuant to this Permit shall be signed by the person specified in and contain the certification prescribed in RCSA Section 22a-449(c)-110 incorporating 40 CFR 270.11 or the delegated licensed environmental professional for the Site.
16. Transfers. This Permit is not transferable to any person without the advanced written authorization of the Commissioner, who may request whatever information the Commissioner deems necessary regarding the potential transferee. Before any such transfer, the Permittee and any proposed transferee shall fully comply with the requirements of CGS Section 22a-60. The Commissioner may require modification or revocation and reissuance of this Permit to change the name of the Permittee and as an incident to any such transfer, incorporate such other requirements, as the Commissioner deems necessary.

In advance of transferring ownership or operation of its Facility prior to the termination of this Permit, the Permittee shall notify the prospective new owner or operator in writing of the requirements of this Permit, 40 CFR 264 through 270, and of the RCSA Section 22a-449(c)100 et. al. The Permittee shall provide such prospective new owner or operator with a copy of this Permit.

The Permittee's failure to notify the new Permittee of the requirements of this Permit in no way relieves the new Permittee of his obligations to comply with all applicable requirements.

If the transfer of the property takes place and the Permittee retains the Permit, an access agreement between the Permittee and the prospective new owners of the Facility shall be approved by the Commissioner prior to the sale of the facility/site. The agreement shall include the anticipated times, locations and frequency of access needed in order for the Permittee to complete closure, post-closure care and corrective action activities and conduct inspection, operation and management activities for all remedial systems. A copy of the Operations and Management Plan, referenced in Condition No. I.E.9. of this Permit, shall be provided to the prospective new owner prior to transfer of the property.

17. Reporting Requirements.
- (a) Anticipated Non-Compliance. The Permittee shall give as much advance written notice as possible to the Commissioner of any planned changes in the Facility or activity, which may result in non-compliance with any requirement of this Permit.
- (b) Compliance Schedules. Except where otherwise provided for in this Permit, reports of compliance and non-compliance with, or any progress reports on, interim and final requirements contained in any Compliance Schedule (Section III) of this Permit, shall be submitted no later than fourteen (14) calendar days following each schedule date, to the extent such reports are required herein.



**DRAFT**

**DRAFT**

**DRAFT**

(c) Twenty-four Hour Reporting.

- (i) The Permittee or designee shall orally report to the Commissioner any remediation or waste related activity at its Facility, irrespective of whether such activity is in compliance with the requirements of this Permit, which does or may pose an imminent and substantial endangerment to human health or the environment, immediately but not later than twenty-four (24) hours from the time the Permittee becomes aware or should be aware of the circumstances causing such endangerment.

The report to the Commissioner shall include:

- (A) Name, address, and telephone number of the Permittee;
  - (B) Name, address, and telephone number of the Facility;
  - (C) Date, time and type of incident;
  - (D) Description of the occurrence and its cause;
  - (E) Name and quantity of waste(s) or constituents thereof involved;
  - (F) The extent of injuries, if any;
  - (G) An assessment of actual or potential hazards to human health and the environment;
  - (H) Estimated quantity and disposition of recovered waste that resulted from the incident;
  - (I) All information concerning the release of any waste or constituents thereof that may cause an endangerment to public drinking water supplies; and
  - (J) All information concerning a release or discharge of waste or constituents thereof or of a fire or explosion from the Facility, which could threaten human health or the environment
- (ii) A written submission shall also be provided within five (5) calendar days of the time the Permittee becomes aware of the circumstances described in subdivision (i) above. The written submission shall contain a description of the endangerment and its cause; the period of endangerment including exact dates and times, if the endangerment has been abated, and if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the endangerment. The Permittee shall maintain in the operating record of its Facility a copy of all such written reports. The Commissioner may waive the five (5) day written notice requirement in favor of a written report within fifteen (15) days of the incident requiring reporting.
- (iii) Nothing in this section shall affect or relieve the Permittee of its obligations under CGS Sections 22a-6u or 22a-450.

- (d) Other Noncompliance. The Permittee shall report all instances of noncompliance with this Permit not otherwise required to be reported by this Permit to the Commissioner along with any other required monitoring report, no later than thirty (30) days of the date the Permittee is aware, or reasonably should have been aware of any such noncompliance. Any such report shall contain, at a

**DRAFT**

**DRAFT**

**DRAFT**

minimum, the information listed in Condition No. I.E.17.(c)(i) of this Permit.

- (e) Other Information. When the Permittee becomes aware that it failed to submit any relevant facts or information in a Permit application, or submitted incorrect information in a Permit application, report or other document provided to the Commissioner regarding this Permit, it shall submit such relevant facts or correct information to the Commissioner within thirty (30) calendar days of becoming aware of such facts or information.

18. Computation of Time.

- (a) Except as is expressly provided for in this Permit, the computation of time periods set forth in this Permit shall be as follows:
- (i) Any time period scheduled to begin on the occurrence of an act or event shall begin on the day after the act or event.
  - (ii) Any time period scheduled to begin before the occurrence of an act or event shall be computed so that the period ends on the day before the act or event.
  - (iii) If the final day of any time period falls on a Saturday, Sunday or a federally or state recognized legal holiday, the time period shall be extended to the next working day.
- (b) Submission of Reports. Where this Permit requires the submission of a written report, a notification or other information or documentation to the Commissioner, the report or notification shall be deemed submitted on the date such report, notification or other information is received by the Department.

19. Availability, Retention and Disposition of Records. The Permittee shall ensure that all records required under RCSA Sections 22a-449(c)-100 to 119, the Remediation Standard Regulations or this Permit, including all plans, are furnished upon request, and made available at all reasonable times for inspection, by any officer, employee, or representative of the Department or the Environmental Protection Agency ("EPA").

The retention period for all records required under RCSA Sections 22a-449(c)-100 to 119 and this Permit is extended automatically during the course of any unresolved enforcement action regarding the Facility or as requested by the Commissioner or Regional Administrator of EPA.

20. Additional Requirements. Requirements not included in this Permit, which become effective by statute or regulation, and not made specifically inapplicable to facilities with a Permit, shall apply to the Permittee's Facility. In the event of any conflict between this Permit and any such requirement, the Permittee shall comply with the more stringent requirement. If the Permittee does not fully comply with the more stringent requirement, the Department may enforce either requirement.

21. Federal, State and Local Laws. Nothing in this Permit shall be construed to prohibit any federal, state or political subdivision thereof from imposing any requirements to the extent authorized by law which are more stringent than those imposed by this Permit. In addition, nothing in the Permit shall relieve the Permittee of its obligation to comply with any other applicable federal, state, or local statute, regulation or ordinance.

**DRAFT**

**DRAFT**

**DRAFT**

22. Modification of the Compliance Schedule.

- (a) The Permittee may request to modify the submittal due dates of the Compliance Schedule (Section III) of this Permit at any time. Such requests shall be submitted for the Commissioner's review and written approval and shall include sufficient justification for such request(s).
- (b) The Commissioner may grant extensions of submittal due dates based on the Permittee's demonstration that sufficient justification for the extension exists. Extensions to due dates, which this Permit explicitly defines as being due by a certain time or during a certain time interval, may be granted by the Commissioner if sufficient justification for the extension is demonstrated by the Permittee.

23. Delegation of a Licensed Environmental Professional.

- (a) Pursuant to RCSA Section 22a-133v, a licensed environmental professional ("LEP") may verify that site-wide environmental investigation at the Facility has been performed in accordance with prevailing standards and guidelines and remediation activities have addressed any and all requirements of the Commissioner and have achieved compliance with the RSRs.
- (b) The LEP shall submit the Final Report for site-wide corrective action for the Commissioner's review and written approval in conjunction with the submission of the verification.
- (c) In the event the Commissioner revokes the delegation of site-wide investigation and oversight of site-wide corrective action, the Permittee shall ensure all reports and documents required by this Permit are submitted for the Commissioner's review and written approval within the timeframes specified.
- (d) The Permittee shall notify the Commissioner in writing of the identity of any LEP other than the one approved by the Commissioner, within ten (10) days after assigning or retaining any LEP for the purpose of addressing the actions required by this Permit. The Permittee shall submit to the Commissioner a description of the assigned LEP's education, experience and training which is relevant to the work required by this Permit within ten (10) days after a request for such a description has been made. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable LEP unacceptable.

**DRAFT**

**DRAFT**

**DRAFT**

**F. DEFINITIONS**

Any term not otherwise defined herein shall be defined as that term is defined in RCSA 22a-449(c)-100 thru 119 incorporated 40 CFR 264 through 279.

1. "Active Remediation" or "active remedial activities" shall mean the period prior to completion of activity conducted pursuant to Section II.B. of this Permit, with the exception of that period when the only remaining activity is post-remedial monitoring or monitored natural attenuation.
2. "Annual" shall mean that sampling and analysis shall occur no later than December 31<sup>st</sup> of the calendar year. The results of such sampling and analysis shall be submitted to the Commissioner no later than March 1<sup>st</sup> of the subsequent year.
3. "Area of Concern" or "AOC" shall mean any area having a probable release of a hazardous waste or hazardous constituents and is determined by the Department to pose a current or potential threat to human health or the environment.
4. "CFR" shall mean the Code of Federal Regulations in effect on the date that this Permit is issued.
5. "Commissioner" shall mean the Commissioner of Environmental Protection as defined in the CGS Section 22a-2 or the Commissioner's duly authorized designee.
6. "Department" or "DEP" shall mean the Connecticut Department of Environmental Protection.
7. "Facility" shall mean, pursuant to 40 CFR 260.10 all contiguous land, and structures, other appurtenances, and improvements on the land, used for treating, storing or disposing of hazardous waste and all contiguous property under control of the owner or operator.

For the purposes of the Permit, Facility shall mean the 18-acre parcel of land located at 15 East Waterbury Road in Naugatuck, CT as delineated on Figure No. 2 and subject to the requirements of this Permit.

8. "Final Closure" shall mean the completion of the closure of all Hazardous Waste Management Units at the Permittee's Facility in accordance with the requirements of this Permit.
9. "Hazardous Waste" or "Hazardous Wastes" shall mean hazardous waste as identified or listed as hazardous waste pursuant to 42 U.S.C. Section 6901 et. seq. and RCSA Section 22a-449(c)-101.
10. "Hazardous Waste Management Unit" or "HWMU" shall mean a contiguous area of land on or in which hazardous waste is placed, or the largest area in which there is a significant likelihood of mixing hazardous waste constituents in the same area and are subject to the closure and post-closure requirements of 40 CFR 264 Subpart G. Examples include: surface impoundment, waste pile, land treatment area, landfill cell, incinerator, a tank, and a greater than 90 day storage area.

**DRAFT**

**DRAFT**

**DRAFT**

For the purposes of this Permit, Hazardous Waste Management Unit shall mean the Former Sludge Settling Lagoon.

11. "Permittee" shall mean the person responsible for the overall operation of the Facility who has been issued a license by the Commissioner. As used herein "person" is defined in Section 22a-423, Chapter 446k, of the CGS and "license" is defined in Section 4-166, Chapter 54 of the CGS.
12. "Period of Active Remediation" shall mean the period of time prior to the completion of remedial activity conducted pursuant to this Permit, with the exception of that period when the only remaining activity is post-remediation monitoring and monitored natural attenuation.
13. "Post Closure Period" means a minimum of thirty (30) years from the date of certification of closure of the land disposal unit(s). This period shall be extended or shortened by the Commissioner in accordance with 40 CFR 264.117(a)(2). For the purposes of this Permit, the start date of the post-closure period is December 7, 1989.

Please note: for sites in which waste will remain in place, the post closure period shall be extended at the Commissioner's discretion. In the event the waste is removed, an alternate post closure period may be approved by the Commissioner.

14. "Quarterly" shall mean that sampling and analysis shall occur once every three (3) consecutive months in a calendar year (i.e. January, April, July and October). The results of such sampling and analysis shall be submitted to the Commissioner within sixty (60) calendar days of the date of sampling.
15. "Regulated Unit" shall mean a surface impoundment, waste pile and land treatment unit or landfill that received hazardous waste after July 26, 1982 and is subject to the requirements of 40 CFR 264.91 through 264.100 for detecting, characterizing and responding to releases in the uppermost aquifer.
16. "Semi-annual" shall mean that sampling and analysis shall occur during the months of April and October of each calendar year. The results of such sampling and analysis shall be submitted to the Commissioner within sixty (60) calendar days of the date of sampling.
17. "Solid Waste Management Unit" or "SMWU" shall mean any unit which has been used for the treatment, storage or disposal of solid or hazardous wastes at any time, or any area that has been contaminated by routine or systematic releases of hazardous waste or hazardous constituents and are subject to the corrective action requirements of 40 CFR 264 Subpart F.
18. "Site" means the same or geographically contiguous property which may be divided by public and private right-of-way, provided the entrance and exit between the properties is at a cross-road intersection, and access is by crossing opposed to going along, the right-of-way. Non-contiguous properties owned by the same person but connected by a right-of-way that he controls and to which the public does not have access, is also considered part of the site property. The terms "Facility" and "Site" may be used interchangeably in this Permit

**DRAFT**

**DRAFT**

**DRAFT**



Stewardship Permit  
Authorized Activities

Donham Craft Inc.  
15 East Waterbury Road  
Naugatuck, CT

EPA ID No. CTD00145006  
Permit No. DEP/HWM/CS-088-008

**DRAFT**

**DRAFT**

**DRAFT**

Table of Contents  
Section II – Authorized Activities

Section	Title	Page
A.	Post-Closure Requirements	
1.	Post-Closure Care Plan and Groundwater Monitoring Plan.....	11
2.	Revisions to Approved Plans .....	11
3.	Modifications of Approved .....	11
4.	Copy of Approved Plans ....	11
5.	Proper Operation and Maintenance..	11
6.	Monitoring Frequency .....	11
7.	Notification Requirements for Newly Discovered Releases .....	12
8.	Inspections .....	12
9.	Maintenance of Final Cover .....	12
10.	Future Corrective Action .....	12
11.	Completion of Post Closure Period .....	13
12.	Modification of Post Closure Period .....	13
B.	RCRA Corrective Action Requirements	
1.	Performance of Corrective Action .....	14
2.	Schedule/Scope of Work.....	15
3.	Ecological Risk Assessment .....	16
4.	Notification and Assessment Requirements for Newly Identified SWMUs and AOCs .....	16
5.	Notification Requirements for Newly Discovered Releases From SWMUs and AOCs .....	17
6.	Interim Measures.....	17
7.	Remedy Selection and Notification of Remedial Implementation .....	19
8.	Public Participation .....	19
9.	Public Notice Requirements.....	20
10.	Implementation of Remedial Activities .....	21
11.	Completion of Active Remediation .....	21
12.	Miscellaneous .....	21
C.	Financial Responsibility	
1.	Cost Estimates .....	23
2.	Establishment of Financial Assurance .....	23
3.	Inflationary Adjustments .....	23
4.	Periodic Reductions .....	23
5.	Maintenance of Financial Assurance .....	24
6.	Release of Financial Assurance .....	24
7.	Failure to Perform .....	24
Tables		
II-1	Areas of Concern	

Appendices

- A-1 Post Closure Care Plan  
A-2 Groundwater Monitoring Plan

**DRAFT**

**DRAFT**

**DRAFT**

## **SECTION II AUTHORIZED ACTIVITIES**

### **A. POST-CLOSURE REQUIREMENTS**

1. Post-Closure Care and Groundwater Monitoring Plans. The Permittee shall perform post-closure care of the Hazardous Waste Management Unit inclusive of surface and groundwater monitoring in accordance with the Post-Closure Care Plan (included herein Appendix A-1 of this Permit) and the Water Quality Monitoring Plan (included herein as Appendix A-2 of this Permit). Herein after, the “approved Post-Closure Care Plan” and the “approved Water Quality Monitoring Plan”.

The Permittee shall complete all post-closure care and surface and groundwater monitoring in accordance with the approved Post-Closure Care Plan and approved Water Quality Monitoring Plan.

2. Revisions to Approved Plans. If at any time the Commissioner or the Permittee determines that a revision to the Post-Closure Care Plan or Water Quality Monitoring Plan is needed or required, the Permittee shall prepare and submit for the Commissioner’s review and written approval a revised post-closure care plan or water quality monitoring plan in accordance with the requirements set forth in 40 CFR 264 Subpart F.
3. Modifications of Approved Plans. The Permittee shall submit a written notification or request for a permit modification to authorize a change in the approved Post-Closure Care Plan or approved Groundwater Monitoring Plan in accordance with the applicable requirements of 40 CFR 124 and 40 CFR 270. The written notification or request must include a copy of the amended post-closure care plan or water quality monitoring plan for the Commissioner’s review and written approval.
4. Copy of Approved Plans. The Permittee shall ensure that a copy of the approved Post-Closure Care Plan and approved Water Quality Monitoring Plan is kept at the Facility or at an alternate location acceptable to the Commissioner, until the Post-Closure Period has been completed and certified in accordance with the requirements of this Permit.
5. Proper Operation and Maintenance. The Permittee shall at all times properly operate and maintain all monitoring wells which are installed or used by the Permittee to achieve compliance with this Permit. Proper maintenance, at a minimum, includes inspections to detect existing and potential problems and adequate funding to maintain proper conditions and repair any problems with the Hazardous Waste Management Unit.
6. Monitoring Frequency. The Permittee shall perform surface and groundwater monitoring on a **quarterly, semi-annual or annual** basis. Upon the Commissioner’s written approval of the revised Water Quality Monitoring Plan, submitted pursuant to Condition No. II. A.2., the Permittee shall perform the surface and groundwater monitoring in accordance with the frequency specified in the approved Water Quality Monitoring Plan.



**DRAFT**

**DRAFT**

**DRAFT**

7. Notification Requirements for Newly Discovered Releases.
  - (a) The Permittee shall notify the Commissioner in writing of any newly discovered release(s) of solid or hazardous waste or hazardous waste constituents discovered during the course of post-closure care, groundwater monitoring, environmental audits, or other means, within fifteen (15) calendar days of the date of discovery.
  - (b) If the Commissioner determines that further investigation of the Site is needed, the Permittee shall be required to prepare a plan for further investigation within sixty (60) calendar days of notification by the Commissioner.
8. Inspections.
  - (a) The Permittee shall inspect the Hazardous Waste Management Unit for malfunctions, deterioration, and discharges, which may lead to any release of hazardous or solid wastes. The Permittee shall remedy any deterioration which an inspection reveals, to ensure that the problem does not lead to an environmental hazard. Where a hazard is imminent or has already occurred, remedial action shall be taken immediately.
  - (b) The Permittee shall ensure inspections are performed on a quarterly basis either by or under the direction of a registered professional engineer. Such inspections shall include, but not be limited to:
    - (i) Erosion, settling, subsidence or other events that may affect the grading;
    - (ii) Integrity of the final cover soils and vegetation;
    - (iii) Drainage control;
    - (iv) Leachate seeps; and
    - (v) Groundwater monitoring systems.
  - (c) The Permittee shall record all inspections in an inspection log. The inspection logs shall include: the date and time of the inspection, the name of the inspector and company or affiliation, a notation of the observations made, and the date and nature of any repairs. Such records shall be kept for at least three (3) years from the date of inspection or for longer if a more stringent condition applies, and maintained in either an electronic format with a copy available to the Commissioner upon request, or a written copy in the Facility's Operating Record.
9. Maintenance of Final Cover. The Permittee shall ensure that the final cover for the Hazardous Waste Management Unit is properly maintained and repaired when necessary in accordance with the approved Post-Closure Care Plan. Proper maintenance shall include, but not be limited to, ensuring that:
  - (a) Established vegetation is cut to the proper length to ensure that the root depth is less than six (6) inches;
  - (b) For areas in which erosion has occurred, the lost material shall be replaced and the area re-seeded; and
  - (c) Obstructions to the drainage structures are removed and properly disposed.
10. Future Corrective Action. If the Commissioner determines that the surface and groundwater monitoring data indicates the soil and/or groundwater remediation was not effective, the Permittee shall within one hundred eighty (180) days of the Commissioner's notice, submit for the Commissioner's review and written approval, a

**DRAFT**

**DRAFT**

**DRAFT**

plan for additional soil and groundwater characterization and establishment of a corrective action program consistent with the objectives of 40 CFR 264.100.

11. Completion of Post-Closure Period. Within sixty (60) calendar days after the completion of the Post-Closure Period, the Permittee shall submit to the Commissioner by registered mail, a certification signed by both the Permittee and by an independent registered professional engineer stating that the post-closure care inclusive of surface and groundwater monitoring for the Hazardous Waste Management Unit, was performed in accordance with the specifications in the approved Post-Closure Care Plan. Documentation supporting the independent, registered professional engineer's certification shall be furnished to the Commissioner upon request.
12. Modification of the Post-Closure Period. If at any time the Commissioner or the Permittee determines that a modification to the Post-Closure Period for the Hazardous Waste Management Unit is needed or required, the Permittee shall prepare and submit for the Commissioner's review and written approval a justification in accordance with the requirements of 40 CFR 264.117(a)(2)(i) to shorten the Post-Closure Period.

**DRAFT**

**DRAFT**

**DRAFT**

**B. RCRA CORRECTIVE ACTION REQUIREMENTS**

1. Performance of Corrective Action. The Permittee shall perform corrective action in accordance with the requirements of this Permit, the Remedial Action Plan(s) ("RAPs") submitted and approved pursuant to Condition No. II.B.2.(a) of this Permit, and any other plan(s) submitted and approved pursuant to this Permit.

The Permittee shall ensure that further investigations for each Solid Waste Management Unit ("SWMU") and Area Of Concern ("AOC") are completed within two (2) years from the date of initiation of such investigation; and that remediation is initiated within three (3) years from the date of initiation of investigation of any SWMU or AOC and completed within ten (10) years of issuance of this Permit or in accordance with an alternative schedule approved in writing by the Commissioner.

The conditions of this section apply to:

- (a) The SWMUs and AOCs as identified in Table II-1;
- (b) Any additional SWMUs and AOCs discovered during the course of corrective action, characterization, groundwater monitoring, field investigations, environmental audits, or other means; and

(As used in this Permit, the terms "discover," "discovery," or "discovered" refer to the date on which the Permittee either: (i) visually observes evidence of a new SWMU or AOC, (ii) visually observes evidence of a previously unidentified release of hazardous constituents to the environment, (iii) receives information which suggests the presence of a new release of hazardous waste or hazardous constituents to the environment, or (iv) receives information which suggests the presence of a previously undocumented release of hazardous waste or hazardous waste constituents to the environment.)

- (c) Contamination that has migrated or may migrate beyond the Facility boundary, whereas necessary to protect human health and the environment.

The Permittee shall implement corrective actions beyond the Facility boundary where necessary to protect human health and the environment consistent with RCRA Section 22a-449(c)-104 incorporating 40 CFR 264.101(c), unless the Permittee demonstrates, to the satisfaction of the Commissioner, that despite the Permittee's best efforts, as determined by the Commissioner, the Permittee was unable to obtain the necessary permission to undertake such actions. The Permittee is not relieved of all responsibility to clean up a release that has migrated beyond the Facility boundary where off-site access is denied. On-site measures to address such releases will be determined on a case-by-case basis. Assurances of financial responsibility for completion of such off-site corrective action will be required.

**DRAFT**

**DRAFT**

**DRAFT**

2. Schedule/Scope of Work. The Permittee shall submit schedule(s)/scope(s) of work for further investigation and remediation of releases of hazardous waste and hazardous substances at or from the Facility such that the remediation will achieve compliance with the RSRs. Such schedule(s) and scope(s) of work shall include, at a minimum, a schedule for development and implementation of the following plans and/or reports:
- (a) Remedial Action Plan ("RAP"). The Permittee shall prepare and submit for the Commissioner's review and written approval one or more RAP(s) and associated cost estimates, developed in accordance with Condition No. II.C.1. of this Permit and RCSA Sections 22a-449(c)-104(a)(1) and 22a-133k-1 et.seq. (RSRs), incorporating 40 CFR 265 Subpart G, which details the steps to be taken to perform corrective action. The RAP(s) shall address one or more environmental media at the entire Site or area affected by or any portion thereof and shall include:
- (i) Description of the areas at which the remediation will take place identifying the SWMUs and AOCs addressed and the environmental media being remediated;
  - (ii) Description of the remedial alternatives considered for performing the specified remediation and the most expeditious schedule for performing each alternative;
  - (iii) Proposed preferred alternative with supporting justification therefore;
  - (iv) Proposed detailed implementation plan and schedule to perform the preferred remedial actions, including the generation and collection of any supplemental site information needed to support completion of remedial design. Such schedule shall include a schedule for applying for and obtaining all Permits and approvals required for such remedial actions and describe the establishment of financial assurance for each proposed phase of remedial activity; and
  - (v) Identify the data gaps and describe the rationale used for determining whether (1) no further investigation is required, or (2) additional investigation is necessary to fill any significant data gaps. If additional investigation is needed, the Permittee shall include a plan for the implementation of such investigations and a report summarizing the findings;
  - (vi) Identify all areas exceeding any remedial criteria and a proposal for the additional characterization data needed to complete the remedial design in order to achieve compliance with RSRs for polluted soil, surface water and groundwater; and a proposed implementation plan and schedule addressing such areas of contamination.
  - (vii) Ecologically based and human health based criteria for sediment, an identification of all areas exceeding such criteria and a proposed implementation plan and schedule addressing such areas.

**DRAFT**

**DRAFT**

**DRAFT**

The RAP and associated schedule may propose activities be conducted in phases associated with a focus on a particular environmental medium, reasonably deferring filling the data gap to the remedial design stage where appropriate.

Any RAP containing monitored natural attenuation as the selected remedy for groundwater migrating off the Site shall include: 1) an evaluation of the need for source mitigation to achieve remedial criteria; 2) a monitoring and data evaluation plan designed to evaluate the remedy performance; and 3) a contingency remedy conceptual approach in the event that monitored natural attenuation does not perform as anticipated and a schedule for implementation.

- (b) Quality Assurance Project Plan. The Permittee shall prepare and submit for the Commissioner's review and written approval a Quality Assurance Project plan ("QAPP"), prepared in accordance with the document titled: *Quality Assurance Guidance for Conducting Brownfields Site Assessments*, US Environmental Protection Agency OSWER Directive No. 9230.0-83P, and incorporating Connecticut's Reasonable Confidence Protocols. The Permittee shall ensure that the data is of sufficient quality to make decisions regarding investigation, potential remediation, and monitoring of the Site.
- 3. Ecological Risk Assessment. Pursuant to RCSA Section 22a-133k-1 et. seq., the Permittee shall prepare and submit for the Commissioner's review and written approval an Ecological Risk Assessment evaluating the potential for ecological receptors to be exposed to contaminants and to ensure that any remedial goals and objectives address protection for those receptors from existing or potential contaminant exposures.
- 4. Notification and Assessment Requirements for Newly Identified SWMUs and AOCs. The Permittee shall notify the Commissioner in writing, within fifteen (15) calendar days of discovery, of any new suspected or confirmed AOCs or SMWUs as discovered under Condition No. II.B.1.(b). Such notification shall include, at a minimum, the following information:
  - (a) Location of the unit(s) on a topographic map of appropriate scale (such as required under 40 CFR 270.14(b)(19));
  - (b) Designation of the type and function of unit(s);
  - (c) General dimensions, capacities and structural description of unit(s) (supply any available plans/drawings);
  - (d) The date that the unit(s) was operated;
  - (e) Specifications of all wastes that have been managed at/in the unit(s) to the extent available. Include any available data on hazardous constituents in the wastes; and
  - (f) All available information (groundwater data, soil, soil gas, sediment, air, and/or surface water data) pertaining to any release of hazardous waste or hazardous constituents from such unit(s).

**DRAFT**

**DRAFT**

**DRAFT**

5. Notification Requirements for Newly Discovered Releases From SWMUs and AOCs.

- (a) The Permittee shall notify the Commissioner in writing of any newly discovered release(s) of hazardous waste or hazardous constituents discovered during the course of characterization, groundwater monitoring, field investigations, environmental audits, or other means, within fifteen (15) calendar days of discovery.

Such newly discovered release(s) may be from SWMUs or AOCs identified in Condition No. II.B.1.(b) or SWMUs or AOCs previously identified for which it had been determined that further investigation was not required.

- (b) If the Commissioner determines that further investigation of the SWMUs or AOCs is needed, the Permittee shall be required to prepare a plan for such investigations within sixty (60) calendar days of notification by the Commissioner.

6. Interim Measures (IM)

(a) Work Plan

- (i) Upon notification by the Commissioner, the Permittee shall prepare and submit an Interim Measures ("IM") Work Plan for any SWMU or AOC that the Commissioner determines is necessary in order to minimize or prevent the further migration of contaminants, thereby limiting current and future potential for human and environmental exposure to contaminants while long-term corrective action remedies are evaluated and, if necessary, implemented to meet the requirements of the RSRs.

The IM Work Plan shall be submitted within sixty (60) calendar days of such notification and shall include the elements listed in Condition No. II.B.6.(a)(iii). Such interim measures may be conducted concurrently with investigations required by this Permit.

- (ii) The Permittee may initiate IM at a SWMU or AOC by submitting the appropriate notification pursuant to this Permit. The Commissioner will process Permittee initiated IM by either conditionally approving the IM or imposing an IM Work Plan per Condition II.B.6.(a)(i). Permittee initiated IM shall be considered conditionally approved unless the Commissioner specifically imposes an IM Work Plan within thirty (30) calendar days of receipt of notification of the Permittee initiated IM. The scope and success of Permittee initiated IM conditionally approved shall be subject to subsequent in-depth review; the Commissioner will either comment on or approve the Permittee initiated IM. Permittee initiated IM must follow the progress and final reporting requirements in Condition No. II.B.6.(c).
- (iii) The IM Work Plan shall ensure that the interim measures are designed to mitigate any current or potential threat(s) to human health or the environment and is consistent with and integrated into any long-term solution at the Facility. The IM Work Plan shall include: the interim measure's objectives, procedures for implementation (including any designs, plans, or specifications), and schedules for implementation.

**DRAFT**

**DRAFT**

**DRAFT**

(b) IM Implementation

- (i) The Permittee shall implement the IM under Condition No. II.B.6.(a)(i) in accordance with the approved IM Work Plan.
- (ii) The Permittee shall give notice to the Commissioner within seven (7) calendar days of any planned changes, reductions or additions to the IM Work Plan imposed under Condition No. II.B.6.(a)(i) or initiated by the Permittee under Condition No. II.B.6.(a)(ii).

(c) IM Reports

- (i) If the time required for completion of interim measures imposed under Condition No. II.B.6.(a)(i) or implemented under Condition No. II.B.6.(a)(ii) is greater than one year, the Permittee shall provide the Commissioner with progress reports at intervals specified in the approved Work Plan or annually for Permittee initiated interim measures. The Progress Reports shall contain the following information at a minimum:
  - (A) A description of the portion of the interim measures completed;
  - (B) Summaries of the findings;
  - (C) Summaries of any deviations from the IM Work Plan during the reporting period;
  - (D) Summaries of any problems or potential problems encountered during the reporting period; and
  - (E) Projected work for the next reporting period.
- (ii) The Permittee shall prepare and submit to the Commissioner, within ninety (90) calendar days of completion of interim measures and receipt of validated analytical data conducted under Condition No. II.B.6. an IM Report. Such report shall contain, at a minimum, the following information:
  - (A) A description of the interim measures implemented;
  - (B) Summaries of results;
  - (C) Summaries of all problems encountered;
  - (D) Summaries of accomplishments and/or effectiveness of interim measures; and
  - (E) Copies of all relevant laboratory/monitoring data etc. in accordance with this Permit.

7. Remedy Selection and Notification of Remedial Implementation.

- (a) The Permittee shall propose a remedy or evaluate one or more remedial alternatives, if necessary to meet the criteria in the RSRs. The Commissioner may require that specific remedial alternatives be evaluated. All remedial alternatives must meet the threshold and balancing criteria specified below.

Threshold Criteria:

- (i) Protect human health and the environment;
- (ii) Achieve media cleanup objectives using criteria in the Remediation Standard Regulations; and
- (iii) Control sources of releases to reduce or eliminate further releases.

**DRAFT**

**DRAFT**

**DRAFT**

Balancing Criteria:

- (i) Long-term effectiveness;
- (ii) Toxicity, mobility and volume reduction;
- (iii) Short-term effectiveness;
- (iv) Implementability;
- (v) Cost;
- (vi) Community acceptance; and
- (vii) State acceptance.

The proposed remedy may include any IM implemented to date.

- (b) The Commissioner will select and approve the remedy to be implemented at the Facility. The Commissioner is not confined to these alternatives evaluated by the Permittee when selecting and approving a remedy for the Site or area affected by the Site or any portion thereof.

8. Public Participation Plan. The Permittee shall prepare and submit for the Commissioner's review and written approval a Public Participation Plan. Such plan shall include:

- (a) The development of a site mailing list that at a minimum includes: the Chief Elected Official, the Director of Health, the Fire Chief, and Planning and Zoning Department for the Town of Naugatuck; the State Representative(s) and Senator(s) that represent the Town of Naugatuck; and the property owners identified in Condition No. II.B.8.(b) and (c).
- (b) A provision for notifying the owners and/or occupants of the properties identified in Appendix B-1 at least thirty (30) calendar days prior to the start or completion of remediation work or when there is a significant change in the environmental conditions of the site or area(s) affected by the site.
- (c) A provision for notifying the owners and/or occupants of any additional properties identified by the US EPA or the Department to be within the area in which the ground waters can reasonably be expected to become polluted as the result of any pollution emanating from the site; and
- (d) A proposal for the provision of semi-annual written updates via a letter or newsletter or any other means to the site mailing list regarding the status of corrective action at the site and areas affected by the site.
- (e) A public notice prior to the start of or completion of remedial activities or the completion of post-closure care inclusive of landfill decomposition gas monitoring, and surface and groundwater monitoring at the Site or area affected by the Site or any portion thereof consistent with Condition No. II.B.9. of this Permit and the requirements of CGS Section 22a-134(i);
- (f) The submittal of a copy of such notice to the Commissioner ten (10) calendar days prior to the date of the publication; and
- (g) The submittal of a written summary of all comments received and responses thirty (30) calendar days after the end of the comment period.



**DRAFT**

**DRAFT**

**DRAFT**

The Permittee shall submit a revised plan sixty (60) calendar days after the installment of any future remedial system of treatment and control, or any significant change in site conditions.

The Commissioner shall review the summary of the comments and the Permittee's responses and shall either: adopt the responses, adopt the responses with modifications, or reject the responses and prepare a response to each comment.

In the event of substantial changes in the remedial or post-closure care approach, the Commissioner may require an additional opportunity for public comment with respect to such changes.

9. Public Notice Requirements. The Permittee shall provide public notice of any proposed remediation and the Commissioner's tentative determination that site-wide remediation and/or post-closure care of the Hazardous Waste Management Unit inclusive of surface and groundwater monitoring is complete. Each public notice must provide a forty-five (45) calendar day comment period and a public information meeting no earlier than thirty (30) calendar days from the date of the public notice and no later than forty five (45) calendar days after the public notice.
- (a) Prior to the commencement of any proposed remedial action, the public notice shall summarize the investigations undertaken, the results of the investigations, clearly identify the proposed remedial activities, and include an address and telephone number for a contact person. The Permittee shall:
    - (i) Publish the notice in a newspaper having substantial circulation in the municipality in which the Site or the affected area is located;
    - (ii) Broadcast the notice on a radio station during the high volume listening times on the same day the notice is published;
    - (iii) Provide a copy of the notice to the Chief Elected Official and the Director of Health of the municipality where the Site or affected area is located;
    - (iv) Provide a copy of the notice to the owner or operator of the Site (if the Permittee is not the Site owner or operator) and to all persons on the Facility mailing list maintained pursuant to 40 CFR 124.10(c)(1)(ix); and
    - (v) Erect and maintain a sign at least six (6) feet by four (4) feet for at least thirty (30) calendar days in a legible condition at the Site, clearly visible from the public highway and including the words "ENVIRONMENTAL CLEAN\_UP IN PROGRESS AT THIS SITE. FOR FURTHER INFORMATION CONTACT:", and a telephone number at which any interested person may obtain additional information about the remediation.
  - (b) Prior to the Commissioner's final determination that remediation and/or post-closure care of the Hazardous Waste Management Unit inclusive of surface and groundwater monitoring is complete, the Permittee shall:

**DRAFT**

**DRAFT**

**DRAFT**

- (i) Publish the notice in a newspaper having substantial circulation in the municipality in which the Site or the affected area is located;
    - (ii) Broadcast the notice on a radio station during the high volume listening times on the same day the notice is published;
    - (iii) Provide a copy of the notice to the owner or operator of the Site (if the Permittee is not the Site owner or operator) and to all persons on the Facility mailing list maintained pursuant to 40 CFR 124.10(c)(1)(ix); and
    - (iv) Include a summary of the basis for the Commissioner's determination.
  - (c) Upon the completion of the public comment period the Commissioner shall make a final determination. If the final determination is that post-closure care and/or remediation is complete then the Stewardship Permit will be terminated and a Certificate of Completion will be issued.
10. Implementation of Remedial Activities. The Permittee shall perform all remediation activities for soil, sediment, groundwater and surface water pollution in accordance with the approved RAP(s), any schedules contained therein, and in accordance with the RSRs.
11. Completion of Active Remediation.
- a. The Permittee shall notify the Commissioner in writing at least ninety (90) calendar days prior to the date it expects to complete the active remedial activity(ies) at the Site or area affected by the Site or any portion thereof.
  - b. Within sixty (60) calendar days after the completion of the active remediation, the Permittee shall submit to the Commissioner via registered mail, a certification signed by the Permittee and by an independent, registered professional engineer stating that the active remediation phase(s) at the Site or areas affected by the Site or any portion thereof has been completed in accordance with the specifications of the approved RAP(s). Documentation supporting the certification shall be furnished upon the Commissioner's request.
12. Miscellaneous.
- (a) The Permittee shall use a lead remediation criterion level of 400 mg/kg for the residential direct exposure criterion as authorized by RCSA 22a-133k-2(i) in areas where residential use is anticipated.
  - (b) For any substances reported at or emanating from the Site, for which no remediation criteria has been adopted, the Permittee shall, in accordance with the Remediation Standard Regulations, submit for the Commissioner's review and written approval a proposal for additional remediation.
  - (c) The Permittee shall not operate the Facility in any manner that stores, treats, or disposes of hazardous wastes or in any way manages hazardous wastes other than hazardous wastes that may be generated during Facility maintenance, authorized closure and/or corrective action activities. Such waste shall be managed in accordance with all applicable regulations. The Permittee shall comply with all

Donham Craft, Inc.  
15 East Waterbury Road  
Naugatuck, CT 06770

EPA ID No. CTD00145006  
Permit No. DEP/HWM/CS-088-008

**DRAFT**

**DRAFT**

**DRAFT**

applicable requirements of RCSA Section 22a-449(c)-102 incorporating 40 CFR  
Part 262 "Standards Applicable to Generators of Hazardous Waste".

**DRAFT**

**DRAFT**

**DRAFT**

**C. FINANCIAL RESPONSIBILITY**

1. Cost Estimates. The Permittee shall submit for the Commissioner's review and written approval a detailed RAP(s) containing detailed, written estimate(s) of the current cost to perform investigation and remediation of the Site or areas affected by the Site inclusive of post-closure care of the Hazardous Waste Management Units and groundwater monitoring in accordance with the requirements of this Permit. The Permittee shall ensure that such written estimates are prepared in accordance with the methodology specified in RCSA 22a-449(c)-104 incorporating 40 CFR 264.142(a) and 40 CFR 264.144(a), as applicable. Note a fifteen percent (15%) contingency shall be applied to the estimates for unforeseeable elements or events which may increase the cost of performing corrective action.
2. Establishment of Financial Assurance. In accordance with the time frame specified in the Compliance Schedule of this Permit, the Permittee shall establish and continually maintain financial assurance using one or more of the instrument formats prescribed by the Commissioner for investigation and remediation of the Site or areas affected by the Site inclusive of post-closure care of the Hazardous Waste Management Unit. Such assurance may be established incrementally.

The Permittee shall ensure that the initial value of financial assurance established includes the cost(s) associated with completing the post-closure of the Hazardous Waste Management Unit.

The Permittee shall submit a plan for the Commissioner's review and written approval, for incrementally establishing financial assurance. In the event that no plan is submitted, the Permittee shall establish financial assurance such that 10% of the total cost of performing corrective action is initially established and an additional 10% is established annually (e.g. the 2<sup>nd</sup> year 20%, the 3<sup>rd</sup> year 30% is established etc...) thereafter such that a total of 100% of the financial assurance is established prior to the expiration of the Permit.

3. Inflationary Adjustments. The Permittee shall adjust amounts of financial assurance to reflect inflationary costs as required by RCSA Section 22a-449(c)-104 incorporating 40 CFR 264.142, and any factors that bear on the cost of performing the work that remains to be completed under this Permit. Adjustments shall be made each year, on the anniversary of the establishment of the mechanism(s) for financial assurance until the Commissioner releases the Permittee from the financial assurance requirements of this Permit.

The latest adjusted cost estimate(s) shall be kept at the Facility and a signed original shall be submitted to the Commissioner within fourteen (14) calendar days of preparation.

4. Periodic Reductions. Upon request by the Permittee, the Commissioner may approve periodic reductions in the amount of financial assurance commensurate with the completion of corrective action activities. Such request shall include a revised cost estimate and demonstration of completed work activities which equates to at least a fifteen percent (15%) reduction in the estimate costs.

**DRAFT**

**DRAFT**

**DRAFT**

5. Maintenance of Financial Assurance. The Permittee shall maintain such financial assurances in effect until the Commissioner notifies the Permittee in writing that it is no longer required to maintain such a mechanism for financial assurances as provided for in Condition No II.D.6. of this Permit.
6. Release of Financial Assurance.
  - (a) Within sixty (60) calendar days after receiving certification, submitted pursuant to Condition No. II.A.10. that post-closure care of the Hazardous Waste Management Unit has been completed in accordance with the approved Post-Closure Care Plan, the Commissioner will notify the Permittee in writing that it is no longer required to maintain financial assurance for post-closure care, unless the Commissioner has reason to believe that post-closure care has not been performed and/or completed in accordance with the approved Post Closure Care Plan. The Commissioner shall provide the Permittee with a detailed written statement of any such reason(s) to believe that remediation activities have not been performed and/or completed in accordance with the approved Post Closure Care Plan.
  - (c) Within sixty (60) calendar days after receiving certification, submitted pursuant to Condition No. II.B.11.(b) that remedial activities has been completed in accordance with the approved Remedial Action Plan, the Commissioner will notify the Permittee in writing that it is no longer required to maintain financial assurance for remedial activities, unless the Commissioner has reason to believe that the remedial activities has not been performed and/or completed in accordance with the approved Remedial Action Plan. The Commissioner shall provide the Permittee with a detailed written statement of any such reason(s) to believe that the remedial activities has not been performed and/or completed in accordance with the approved plan.
7. Failure to Perform. If the Permittee fails to perform any of the terms or conditions of this Permit, the financial assurance shall be available to the Commissioner to perform such terms or conditions of this Permit provided that, prior to drawing upon any mechanism(s) for financial assurance, the Commissioner shall notify Permittee, in writing, of the alleged failure to perform and provide Permittee with a reasonable period of not less than fifteen (15) calendar days in which to remedy the alleged non-performance.

**DRAFT**

**DRAFT**

**DRAFT**



Stewardship Permit  
Compliance Schedule

Donham Craft Inc.  
15 East Waterbury Road  
Naugatuck, CT

EPA ID No. CTD00145006  
Permit No. DEP/HWM/CS-088-008

**DRAFT**

**DRAFT**

**DRAFT**

### **SECTION III COMPLIANCE SCHEDULE**

- A. All conditions set forth in Section III.A. of this Permit, shall be conducted within thirty (30) calendar days of the effective date of this Permit. Otherwise, the Permittee may be subject to formal enforcement actions.
1. Retention of Consultant(s) or LEP(s). The Permittee shall designate and assign an environmental compliance expert who may be a full-time employee of the Permittee, and/or retain one or more qualified consultant(s) or LEP(s), acceptable to the Commissioner to prepare the documents required by Condition Nos. II.A.2., II.B.2., II.B.3. and II.B.8. and shall, by that date, notify the Commissioner in writing of the identity of such environmental compliance expert, LEP(s) and/or consultant(s). The Permittee shall assign such environmental compliance expert and/or retain such qualified LEP(s) or consultant(s), acceptable to the Commissioner, until Condition Nos. II.A.2., II.B.2., II.B.3. and II.B.8. of this Permit is fully complied with. The Permittee shall notify the Commissioner in writing of the identity of any environmental compliance expert(s), LEP(s) or consultant(s) other than those approved by the Commissioner, within ten (10) days after assigning or retaining any environmental compliance expert(s), LEP(s) or consultant(s) for the purpose of addressing the actions required by this Permit. The Permittee shall submit to the Commissioner a description of the assigned environmental compliance expert's, LEP's and/or consultant's education, experience and training which is relevant to the work required by this Permit within ten (10) days after a request for such a description has been made. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable environmental compliance expert(s), LEP(s) or consultant(s) unacceptable.
- B. All conditions set forth in Section III.B. of this Permit, shall be conducted within one hundred twenty (120) calendar days of the effective date of this Permit. Otherwise, the Permittee may be subject to formal enforcement actions.
1. Submittal of Schedule. The Permittee shall submit for the Commissioner's review and written approval a schedule for the submission of:
- (a) Post-Closure Plan. A revised Post Closure Plan and associated cost estimate prepared in accordance with the requirements of Condition Nos. II.A.2. and II.C.1. of this Permit.
  - (b) Ecological Risk Assessment. An Ecological Risk Assessment prepared in accordance with the requirements of Condition No. II.B.3. of this Permit.
  - (c) Public Participation Plan. A public participation plan prepared in accordance with the requirements of Condition No. II.B.8. of this Permit.
  - (d) Revised Water Quality Monitoring Plan. A revised Water Quality Monitoring Plan and associated cost estimate prepared in accordance with the requirements of Condition Nos. II.B.2. and II.C.1. of this Permit.

**DRAFT**

**DRAFT**

**DRAFT**

- (e) Quality Assurance Project Plan. A Quality Assurance Project Plan prepared in accordance with the requirements of Condition No. II.B.2.(b) of this Permit.
  - (f) Remedial Action Plan. A Remedial Action Plan and associated cost estimate prepared in accordance with the requirements of Condition Nos. II.B.2.(a) and II.C.1. of this Permit.
- C. All conditions set forth in Section III.C. of this Permit, shall be conducted within three hundred sixty five (365) calendar days of the effective date of this Permit. Otherwise, the Permittee may be subject to formal enforcement actions.
  - 1. Progress Reports. The Permittee shall submit a progress report for the Commissioner's review describing the actions which the Permittee has taken to date to comply with the terms and conditions of this Permit and annually thereafter until all actions required by this Permit have been completed to the Commissioner's satisfaction.
- D. All conditions set forth in Section III.D. of this Permit, shall be conducted within the timeframe specified. Otherwise, the Permittee may be subject to formal enforcement actions.
  - 1. Financial Assurance. Within one hundred fifty (150) calendar days of the Commissioner's written approval of the cost estimate submitted in accordance with Condition No. II.C.1. of this Permit, the Permittee shall establish and continually maintain financial assurance using one or more financial assurance mechanisms prescribed by the Commissioner for post-closure care inclusive of surface and groundwater monitoring and landfill decomposition gas monitoring of the Site or areas affected by the Site.
  - 2. Operation and Management Plan. The Permittee shall submit for the Commissioner's review and written approval a comprehensive Operations and Management Plan for all remedial systems of treatment and control, in accordance with Condition No. I.E.9. of this Permit within sixty (60) calendar days prior to the installation of any future remedial system of treatment and control.
  - 3. Retention of Consultant. The Permittee shall notify the Commissioner in writing within ten (10) calendar days of retaining any additional or replacement consultant or LEP other than those approved by the Commissioner. Such notification shall include a description of the consultant or LEP's education, experience and training which is relevant to the work required by this Permit.

Any consultant(s) or LEP(s) retained to perform all investigation and remediation activities in response to this Permit must be an independent, licensed environmental professional, and must provide professional services in accordance with RCSA Section 22a-133v-1 through 8 (the Licensed Environmental Professional Regulations). Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable consultant unacceptable.



**DRAFT**

**DRAFT**  
**TABLE II-1**

**DRAFT**

**Solid Waste Management Units (“SWMUs”) and  
Areas of Concern (“AOCs”)**

<b>AOC No.</b>	<b>Description</b>	<b>Type of Unit</b>	<b>Date Addressed</b>
AOC 1	Former Sludge Settling Lagoons	HWMU	Certified Closed on December 7, 1989
AOC 2	Former Wastewater Discharge Pipe	HWMU	Phase II Investigation
AOC 3	Former Sludge Drying Bed	HWMU	Clean Closed on December 7, 1989
AOC 4	Former Septic System (Sanitary Wastes only)	SWMU	Phase II and Phase III
AOC 5	Former Junk Yard Area	SWMU	Phase II Investigation
AOC 6	Former No. 2 Fuel Oil Tank	AOC	Phase II Investigation
AOC 7	Former No. 2 Fuel Oil Tank	AOC	Phase II Investigation
AOC 8	Dry Storage Chemical Storage Barn	AOC	Phase II Investigation Area currently in use
AOC 9	Former Hazardous Waste Storage Area	SWMU	Closed in 1980 Area in use for plating
AOC 10	Hazardous Waste Storage Area	SWMU	Area currently in use
AOC 11	Metal Hydroxide Sludge Dumpster	SWMU	Area currently in use
AOC 12	Spent Acid/Alkali Cleaning Fluid Accumulation Tank	SWMU	Area currently in use
AOC 13	Spent Chromate Holding Tank	SWMU	Area currently in use
AOC 14	Vacuum Distiller	AOC	Area currently in use
AOC 15	Acid Storage Shed	AOC	Area currently in use
AOC 16	Wastewater Collection Sump	SWMU	Area currently in use
AOC 17	Filter Press	SWMU	Area currently in use
AOC 18	Safety Kleen System/Satellite Accumulation Area	AOC	Area currently in use
AOC 19	Water Storage Pond	AOC	Area currently in use
AOC 20	Former Indoor Plating Waste Accumulation Area	SWMU	Area currently in use
AOC 21	Former Indoor Plating Waste Accumulation Area	SWMU	Phase II Investigation